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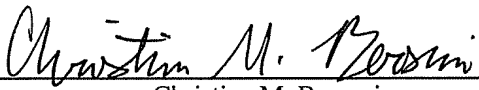
EFS Transmission Sheet

March 16, 2009


To: Examiner Young, Micah Paul
From: Stephen P. Burr/Nicole J. Buckner
Re: In re the Application of: Jiro KANIE
Serial No.: 10/826,165 Art Unit: 1618
Date Filed: April 16, 2004 Conf. No. 8549
Title: ENTERAL NUTRITION PRODUCT AND METHOD FOR PREPARING THE SAME
Our Docket No.: 889_001

I hereby certify that the following 61 page(s) **including this cover** is/are being transmitted via EFS to the Patent and Trademark Office on **March 16, 2009**:

	<u>Paper</u>	<u>Index of Pages</u>	<u># of Pages</u>
1.	Cover Page		<u>2</u>
2.	Appeal Brief		<u>59</u>
		<i>Total Pages</i>	<u>61</u>


Christina M. Bersani

CLAIMS						
(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	6	MINUS	20	0	\$52.00	\$00.00
INDEP. CLAIMS	1	MINUS	3	0	\$220.00	\$00.00
TOTAL CLAIMS FEE						\$00.00
EXTENSION OF TERM						
<input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.						
<input type="checkbox"/> This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:						
<input type="checkbox"/> One Month (37 CFR 1.17(a)(1)) \$130.00						
<input type="checkbox"/> Two Month (37 CFR 1.17(a)(2)) \$490.00						
<input type="checkbox"/> Three Month (37 CFR 1.17(a)(3)) \$1,110.00						
OTHER MISCELLANEOUS FEES						
<input type="checkbox"/> RCE Filing Fee (37 CFR §1.17(e)) \$810.00						
<input type="checkbox"/> Terminal Disclaimer (37 C.F.R. § 1.20(d)) \$140.00						
<input type="checkbox"/> Other: Appeal Brief \$540.00						\$540.00
SUBTOTAL OF FEES DUE						\$540.00
<input checked="" type="checkbox"/> Applicant claims small entity status (37 CFR 1.27). Therefore, the fee amount is reduced by one-half.						
TOTAL FEES DUE						\$270.00
<input type="checkbox"/> No additional fee is required.						
<input checked="" type="checkbox"/> The fees associated with this paper are being paid electronically with this submission.						
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.						

Submitted By:					
Name (Print Type)	Nicole J. Buckner	Reg. No.	51,508	Customer No.	025191
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Signature				Date	March 16, 2009